THE HONORABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.224 OF 2006

Dated: 04-01-2006

Between

A.P. Women's Cooperative Finance
Corporation, 8-3-222, Vengalraonagar,
Behind Saradhi Cine Studios, Hyderabad
rep. by its Managing Director Sri G. Raja
Sekhara Reddy and another.

...PETITIONERS

AND

The Assistant and Regional Provident
Fund Commissioner, SRO, Warangal
District and others.

...RESPONDENTS

ORDER:

Petitioners question the order dated 30.09.2005 issued by the first respondent under Section 7-A and 7-Q of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act') demanding them to pay a sum of Rs.11,95,881/-.

Learned counsel for the petitioners submits that out of the total amount a sum of Rs.7,22,777/- has been paid and the balance amount payable is Rs.4,73,104/-. The learned counsel further submits an amount of Rs.2,43,583/- is also demanded under Section 14-B

of the Act towards the interest under Section 7-Q of the Act.

Admittedly an appeal lies under Section 7-I of the Act before the appellate tribunal within 60 days from the date of receipt of the order demanding to pay the amount and the tribunal also has the power to condone the delay of another 60 days.

Having regard to the facts and circumstances of the case,
the petitioners are permitted to file an appeal before the Appellate Tribunal within a period of four weeks from today and if the petitioners deposit half of the demanded amount within four weeks from today there shall be stay of operation of the impugned proceedings pending disposal of the appeal. If no appeal is filed, it is open for the respondents to proceed further to recover the said amount.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

January 4, 2006

Note: Furnish C.C. of the order by 06.01.2006

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DSK